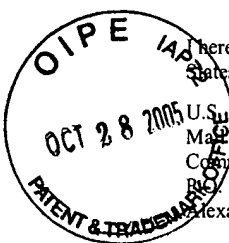


*16 44*



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PATENT  
Attorney Docket No.: 022370-000210US

On October 26, 2005  
TOWNSEND and TOWNSEND and CREW LLP  
By: *Susan Jensen*  
Susan Jensen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Stefan MILTENYI et al.  
  
Serial No.: 08/416,920  
  
Filing Date: April 21, 1995  
  
For: DIRECT SELECTION OF CELLS BY  
SECRETION PRODUCT

Examiner: R. Schwadron  
  
Group Art Unit: 1644  
  
RESPONSE TO NOTICE  
UNDER 37 CFR 1.251

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice Under 37 CFR 1.251 dated April 14, 2005 (copy attached) enclosed are copies of the references missing from the Office's file in the above-referenced application. These references were originally listed on forms 892 (list of references cited by the Examiner) and on 1449 (list of references cited by Applicant and considered by the Examiner) dated February 2, 1997.

Date: 10/26/2005

Respectfully submitted,

*Randolph Ted Apple*  
Randolph Ted Apple  
Reg. No. 36,429

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
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60606113 v1



PTO/SB/21 (09-04)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

08/416,920

Filing Date

April 21, 1995

First Named Inventor

MILTENYI, Stefan

Art Unit

1644

Examiner Name

R. Schwadron

Attorney Docket Number

022370-000210US

**ENCLOSURES** (Check all that apply)

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment/Reply - Response to Notice Under 37 CFR 1.251 (1 pg) | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application                               | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)   | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address                 | <input type="checkbox"/> Status Letter  |
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| <input type="checkbox"/> Express Abandonment Request   | <input type="checkbox"/> Request for Refund   | Copy of Notice - PTO Doc Code R251.RES (1 pg);  |
| <input type="checkbox"/> Information Disclosure Statement  | <input type="checkbox"/> CD, Number of CD(s) _____  | Copy of forty-three (43 references*); and Return Postcard                               |
|  | <input type="checkbox"/> Landscape Table on CD  |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                                    | <b>Remarks</b> The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |   |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application                            | *References not included in total number of pages in this submission.                                   |   |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53                          |   |   |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Randolph Ted Apple

Date

October 26, 2005

Reg. No.

36,429

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Susan Jensen

Date

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In re Application of: STEFAN MILTENYI et al.  
Application No.: 08416920  
Filing Date: 04/21/1995  
Title: DIRECT SELECTION OF CELLS BY SECRETION PRODUCT

Direct to: U. S. Patent and Trademark Office  
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**NOTICE UNDER 37 CFR 1.251 – Pending Application**

**Statement (check the appropriate box):**

☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

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☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above identified application.

10/10/05  
Date

[Signature]  
Signature

RANDOLPH APPLE  
Typed or printed name

**A Copy of this notice should be returned with the reply.**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**